



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fukumura *et al.*

Appl. No.: 09/843,922

Filed: April 30, 2001

For: **Negative-Sense RNA Virus Vector
for Nerve Cell**

Confirmation No.: 2336

Art Unit: 1632

Examiner: Kelly, Robert M.

Atty Docket: 2144.0270001/RWE

**Petition for Expungement of Information or Copy of Paper in
Application File under 37 C.F.R. § 1.59**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request that the copy of unpublished U.S. Application No. 09/762,641, cited in the Eighth Supplemental Information Disclosure Statement filed concurrently herewith, be expunged from the above-captioned application file. This document was cited in parent Application No. 09/720,979 in an Office Communication dated June 8, 2004.

Because Application No. 09/762,641 is unpublished, Applicants assert that this is proprietary information that should not be open to the public. Accordingly, Applicants respectfully submit that expungement of this document from the present application is proper. Applicants also submit herewith the required fee of \$130.00 set forth in 37 C.F.R. § 1.17(h).

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If the Examiner has any questions, or believes for any reason that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: August 30, 2004

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